



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

MARY ANN WRIGHT
Acting Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

May 3, 2005

Ken George, Quarry Manager
Holcim (U.S. Inc.)- Devil's Slide Plant
6055 East Croydon Road
Morgan, Utah 84050

Subject: Public Protest Letters, Holcim's (US) Inc., Skull Valley Diatomaceous
Earth Quarry, M/045/060, Tooele County, Utah

Dear Mr. George:

The Division received four written objections, within the 30-day public comment period, to the publication of tentative approval for the Skull Valley Diatomaceous Earth Quarry. Comments were also received from state agencies through the Resource Development Coordinating Committee. A copy of the comments and objections are attached.

The Division is temporarily suspending tentative approval until we are able to evaluate the comments and determine if they are substantive and require a formal adjudicative hearing in accordance with UCA 40-8-13. You may provide the Division information in order to help us evaluate the comments. We would like to schedule a site inspection with you to evaluate the comments. Please contact us to arrange such a site visit.

Final approval will not be issued until the citizen protests are resolved and we have received the \$99,700 surety bond and accompanying Reclamation Contract. Please contact me at (801) 538-5258, or Tom Munson at 538-5321 to schedule a site inspection.

Sincerely,

Susan M. White
Program Coordinator
Minerals Regulatory Program

SMW:tm:jb

Enclosure: protest letters and RDCC comments

cc: Glenn Carpenter, BLM, SLFO w/comments

O:\M045-Tooele\M0450060-SkullValleyDiatoms\draft\protestletters.doc

Copy: Susan
Tom

Derek and Tamsen Andrus
P.O. Box 145
Dugway, Utah 84022

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APR 26 2005
DIV. OF OIL, GAS & MINING

April 23, 2005

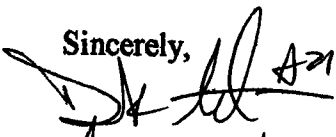
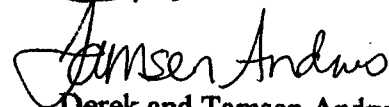
Subject: Written protest to Mine Plan Permit Revision, Holcim (US) Incorporated's,
Skull Valley Diatomaceous Earth Quarry, M/045/060, Tooele County, Utah

Dear Mr. Mark Mesch,

I am writing in protest to the recent decision to approve Holcim (US) Inc. permit of expanding an existing small mining operation located in Skull Valley, Tooele County, Utah. Having seen and watched Holcims' current operation, I feel that expanding their current operation would only worsen an already bad situation. At the pit site, overburden and the pit itself is a horrible dust problem. In a valley where the wind blows all the time, dust from the operation is terrible. No dust control measures are taken to lessen the situation. Reject material and waste rock are found throughout the project. Roads to the pit area are open to common traffic and are not marked as to the hazard ahead, which includes dropoffs into the pit which are NOT bermed or fenced off. (During operation and non operation) Truck traffic due to the existing pit has already taken its toll on the Old Lincoln Highway. We are fortunate that it was paved due to the County school bus travel. The asphalt was placed over the existing gravel road with trucks and road grader. We are grateful for this, but it was NOT engineered for the heavy trucks and trailers that are currently hauling the material. Furthermore, those trucks travel past homes located on the Lincoln Highway, some of which have young children in which the trucks size and speed creates quite a hazard.

I have no reason to believe that by approving the operation to go large scale, that Holcim will improve upon their current operations and respectfully protest the tentative decision to grant approval of the Large Mining Operations Notice of Intention for Holcim's Skull Valley Diatomaceous Earth's Mine.

Sincerely,



Derek and Tamsen Andrus
435-830-6393

Brett and Alexis Andrus
259 D West 5th
Dugway, Utah 84022

April 23, 2005

copy: Susan
Tom

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APR 26 2005
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DIV. OF OIL, GAS & MINING

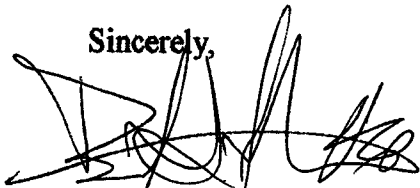
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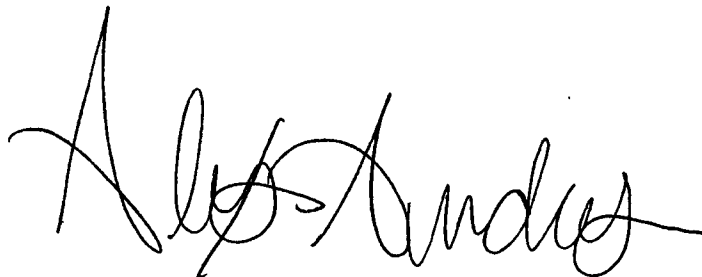
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Sincerely,



Brett and Alexis Andrus



Dan Andrus and Jackie Wilde
Orr's Ranch, Skull Valley Utah
P.O. Box 75
Dugway Utah 84022

April 23, 2005

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^{Mr}
DIV. OF OIL, GAS & MINING

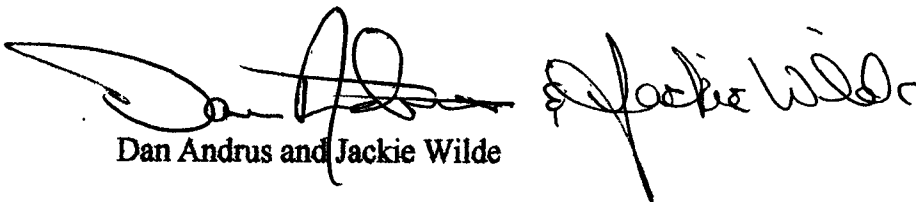
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Sincerely,


Dan Andrus and Jackie Wilde

Dennis and Shirley Andrus
550 Lincoln Hwy
Grantsville Utah 84029

April 23, 2005

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Skull Valley Diamaceous Earth Quarry, M/045/060, Tooele County, Utah

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Sincerely,

Dennis and Shirley Andrus
Owner/ Operator
Orr's Ranch
550 Lincoln Highway
Skull Valley, Utah

*Dennis D. Andrus Sr. } 04-25-05
Shirley J. Andrus }*



Jon M. Huntsman, Jr.
Governor

Gary R. Herbert
Lieutenant Governor

State of Utah

GOVERNOR'S OFFICE OF PLANNING AND BUDGET Resource Development Coordinating Committee

John A. Harja
Executive Director

April 27, 2005

Tom Munson
Division of Oil, Gas and Mining
1594 West North Temple
PO Box 145801
Salt Lake City, Utah 84114-5801

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MAY 02 2005

OIL, GAS & MINING

SUBJECT: Skull Valley Diatomaceous Earth Quarry, M/045/060, Holcim (US) Incorporated
Project No. 05-5079

Dear Mr. Munson:

The Resource Development Coordinating Committee (RDCC) has reviewed this proposal. State agencies comment as follows:

Department of Environmental Quality/Division of Air Quality

The proposed project is subject to Utah Air Conservation Rule R307-205-5, Mining Activities, since fugitive dust emissions will be generated during mining activities. A permit, known as an Approval Order, is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as, watering and/or chemical stabilization, providing vegetative or synthetic cover and windbreaks. A permit application, known as a Notice of Intent, should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116, if any on-site crushing of stone occurs according to Utah Air Conservation Rule R307-401, Permits, Notice of Intent and Approval Order. A copy of the rules are found at www.rules.utah.gov/publicat/code/r307/307.htm

Division of State History

The Utah State Historic Preservation Office has reviewed our cultural resource files for the above requested project area.

Section 404 Consultation DOGM; the area of potential effect has been surveyed with one archaeological site located. The site appears, from the application, not to be in the six-acre area of disturbance, therefore USHPO recommends a determination of No Historic Properties Affected, §UCA 9-8-404.

This information is provided on request to assist with state law responsibilities. As specified in U.A.C. 9-8-404, final determinations concerning cultural resources are the State Lead Agency's. If you have questions, please contact Wilson Martin at (801) 533-3552.

The Committee appreciates the opportunity to review this proposal. Please direct any other written questions regarding this correspondence to the Resource Development Coordinating Committee at the above address or call Carolyn Wright at (801) 537-9230 or Kim Frost at (801) 538-7326.

Sincerely,

John Harja
Executive Director
Resource Development Coordinating Committee